



RCT ⁷⁰

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/532,182 Confirmation No.: 9107
Applicant(s): Shindo
Filed: 11/14/2005
Art Unit: 2839
Examiner: Dinh, Phuong K.
Title: Multi-Step Electric Connector

Attorney Docket No.: 003D.0061.U1 (US)
Customer No.: 29,683

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Request For Reconsideration Of Holding Of Abandonment
(No Abandonment In Fact - MPEP 711.03)

Sir:

This is in response to the Notice of Improper Request For Continued Examination (RCE) mailed 1/31/2008 in regard to the above-identified patent application. Applicants' attorney hereby requests:

1. entry of the RCE because it was properly filed; and
2. reconsideration of the holding of abandonment under MPEP 711.03, because there has been no abandonment in fact.

The Notice indicated that the RCE was not filed before abandonment of the application. This is incorrect. The Notice indicated that the RCE was filed on "1-10-08". This is also incorrect.

The RCE was filed on 4/4/07; not 1/10/2008. Attached is a copy of the RCE with the certificate of mailing indicating the mailing date of "4-4-07". Also enclosed is a copy of the

return post card which indicates receipt of the RCE on April 10, 2007 by the USPTO.

The reason the Notice and the USPTO computers incorrectly indicate that the RCE was filed on "1-10-08" is because of following facts:

- On 1/10/2008 the undersigned attorney received a call from the USPTO (Ms. Gwynn (sp?); Telephone Number: 571-272-1626). She asked me to fax her a copy of the RCE filed 4/4/2007. She indicated that the USPTO was having difficulty locating the paper, but they knew it existed because of the RCE payment made by check.
- On 1/10/2008 I faxed her a copy of the RCE and the return post card (which indicates receipt of the RCE by the USPTO on April 10, 2007).
- It appears that the USPTO incorrectly identified the filing date of the RCE in its computer system as 1/10/2008 (the date I faxed the USPTO a confirmation copy of the RCE as requested), rather than the actual RCE filing date of 4/4/2007.

The RCE was filed before 06/26/2007 (the due date of the issue fee regarding the Notice of Allowance mailed 03/26/2007). Therefore, the RCE was filed in a timely manner and should be approved.

In regard to the indication in the Notice that the application has been abandoned, this is incorrect. The RCE was properly filed before abandonment would have otherwise occurred. The

Appl. No.: 10/532,182
Reply to Office Action of: 01/31/2008

RCE requested entry of the amendments previously submitted on 3/29/2007 and 3/28/2007.

The Notice mailed 11/13/2007 was incorrect because it failed to take into consideration that an RCE was filed on 4/4/2007.

This application is still pending and the examiner needs to enter the two amendments filed 3/29/2007 and 3/28/2007.

Favorable consideration and allowance is respectfully requested. Should any unresolved issue remain, the examiner is invited to call applicants' attorney at the telephone number indicated below.

Respectfully submitted,

Mark F. Harrington 2/5/08
Mark F. Harrington (Reg. No. 31,686) Date

Customer No.: 29683
Harrington & Smith, PC
4 Research Drive
Shelton, CT 06484-6212
203-925-9400

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail on the date shown below in an envelope addressed to: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

2/5/2008 Clairine F. Mian
Date Name of Person Making Deposit

Doc Code:

PTO/SB/30 (09-06)

Approved for use through 03/31/2007. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	10/532,182
Filing Date	11/14/2005
First Named Inventor	Shindo, H.
Art Unit	2839
Examiner Name	Dinh, P. K.
Attorney Docket Number	003D.0061.U1(US)

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. Submission required under 37 CFR 1.114

Note: If the RCE is proper, any previously filed unentered and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ii. ☐ Other _____
- b. ☐ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other _____

3. Fees

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees: any underpayment of fees, or credit any overpayments to Deposit Account No. 50-0924. I have enclosed a duplicate copy of this sheet.
- i. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other _____
- b. ☒ Check in the amount of \$ 790.00 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature	<i>Mark F. Harrington</i>	Date	4/4/07
Name (Print / Type)	Mark F. Harrington	Registration No.	31,686

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature	<i>Ann Okrentowich</i>	Date	4-4-07
Name (Print / Type)	Ann Okrentowich		

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



003D.0061.41(US)

ATTORNEY DOCKET NO.

SERIAL NO. 10/532,182

MFH

ATTY.

ATD

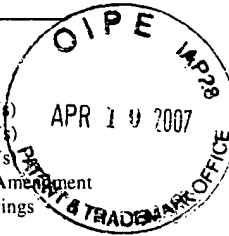
SECY.

4-4-07

DATE MAILED

CHECK FOR \$ 790.00

- ☐ Amendment (_____ page(s))
- ☐ Preliminary Amendment (_____ page(s))
- ☐ Amendment Transmittal
- ☐ Drawings
 - ☐ Formal (_____ sheet(s))
 - ☐ Informal (_____ sheet(s))
 - ☐ Red-line (_____ sheet(s))
- ☐ Sub. of Proposed Drawing Amendment
- ☐ Transmittal of Formal Drawings
- ☐ Certificate of Correction
- ☐ Request for Certificate of Correction
- ☐ Request for Corrected Filing Receipt
- ☐ Certified Copy
- ☐ Transmittal of Certified Copy
- ☐ Change of Attorney's Address in Application



- ☒ Certificate of Mailing
- ☐ IDS, PTO-1449, references
- ☐ Issue Fee
- ☐ Appeal Brief (in triplicate) (_____ page(s))
- ☐ Assignment
- ☐ Assignment Cover Sheet
- ☐ Declaration & Power of Attorney
- ☐ Notice of Appeal
- ☐ Petition & Fee for Extension of Time
- ☐ Let. Calling Attention To Error in Patent
- ☐ Completion of Filing Requirements

☒ OTHER: RCE

Receipt is hereby acknowledged of the papers/fees as identified:
Commissioner of Patents & Trademarks